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Plaintiff, proceeding *pro se*

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Attorneys for Defendants  
Walmart Inc., Wal-Mart Associates, Inc., and Wal-Mart.com USA, LLC

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

TRI HUYNH,

Plaintiff,

v.

WAL-MART STORES, INC., a Delaware  
Corporation; WAL-MART ASSOCIATES,  
INC., a Delaware Corporation; WAL-  
MART.COM, INC., a Delaware Corporation;  
and DOES 1 through 50, inclusive.

Defendants.

Case No.: 3:18-cv-01631-VC  
[Assigned for all purposes to the Hon. Judge  
Vince Chhabria, Courtroom 04]

**STIPULATION TO DISMISS  
PLAINTIFF'S THIRD, FOURTH, FIFTH,  
SIXTH, AND SEVENTH CLAIMS FOR  
RELIEF WITH PREJUDICE;  
[PROPOSED] ORDER**

Complaint Filed: March 15, 2018  
Trial Date: February 10, 2020

**TO THE HONORABLE COURT AND ALL PARTIES HEREIN AND THEIR  
ATTORNEYS OF RECORD:**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Tri Huynh (“Plaintiff”) and Defendants Walmart Inc., Wal-Mart Associates, Inc., Wal-Mart.com USA, LLC (“Defendants”) (hereinafter collectively “the Parties”), through their respective counsel of record, as follows:

WHEREAS, Plaintiff filed the instant action on March 15, 2018 and filed Plaintiff’s First Amended Complaint in this Court on April 2, 2018, listing nine causes of actions, including claims for remedies for Disability Discrimination in Violation of the California Fair Employment and Housing Act (Cal. Gov. Code §12940(a)) Dkt. 18, at ¶¶ 141–151, for Failure to Accommodate in Violation of the California Fair Employment and Housing Act (Cal. Gov. Code §12940(m)) Dkt. 18, at ¶¶ 152–161, for Failure to Engage in a Good Faith Interactive Process in Violation of the California Fair Employment and Housing Act. (Cal. Gov. Code §12940(n)) Dkt. 18, at ¶¶ 162–171, for Retaliation in Violation of the California Fair Employment and Housing Act (Cal. Gov. Code §12940(h)) Dkt. 18 at 172-181, and for Failure to Prevent Discrimination and Retaliation in Violation of the California Fair Employment and Housing Act (Cal. Gov. Code §12940(k)) Dkt. 18 at 181-188.

WHEREAS, Plaintiff informed Defendants on June 17, 2019, that Plaintiff no longer intends to pursue his: a) Third Claim of Relief under Disability Discrimination in Violation of California Fair Employment and Housing Act (Cal. Gov. Code §12940(a)), b) Fourth Claim of Relief for Failure to Accommodate in Violation of California Fair Employment and Housing Act (Cal. Gov. Code §12940(m)), c) Fifth Claim of Relief for Failure to Engage in a Good Faith Interactive Process in Violation of the California Fair Employment and Housing Act. (Cal. Gov. Code §12940(n)), d) Sixth Claim of Relief for Retaliation in Violation of California Fair Employment and Housing Act (Cal. Gov. Code §12940(h)), and e) Seventh Claim of Relief for Failure to Prevent Discrimination and Retaliation in Violation of California Fair Employment and Housing Act (Cal. Gov. Code §12940(k)).

1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the  
2 Parties to dismiss Plaintiff's Third, Fourth, Fifth, Sixth, and Seventh Causes of Action in the First  
3 Amended Complaint with prejudice.

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6 **IT IS SO STIPULATED**, through Counsel of Record.

7  
8 DATED: June 25, 2019

**Tri Huynh**

9  
10 By: /s/ Tri M. Huynh  
Tri Huynh

11 Plaintiff, proceeding *pro se*

12  
13 DATED: June 25, 2019

**Gibson, Dunn & Crutcher LLP**

14  
15 By: /s/ Rachel S. Brass  
Rachel S. Brass

16 Attorneys for Defendants  
17 Walmart Inc., Wal-Mart Associates, Inc., and Wal-  
18 Mart.com USA, LLC  
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**ECF ATTESTATION**

I, Tri M. Huynh, am the ECF User whose ID and password are being used to file this  
**STIPULATION TO DISMISS PLAINTIFF'S THIRD, FOURTH, FIFTH, SIXTH, AND  
SEVENTH CLAIMS FOR RELIEF.** In compliance with N.D. Ca. L.R. 5-1(i)(3), I hereby attest  
that the concurrence in the filing of the document has been obtained from the other signatory.

By: /s/ Tri M. Huynh  
Tri M. Huynh

**[PROPOSED] ORDER**

The Court, having considered the Parties' Joint Stipulation to Dismiss Plaintiff's Third, Fourth, Fifth, Sixth, and Seventh Claims for Relief, and for good cause appearing thereon, hereby orders the following:

1. Plaintiff's claim for relief for remedies under Disability Discrimination in Violation of California Fair Employment and Housing Act (Cal. Gov. Code §12940(a)) is hereby dismissed with prejudice.
2. Plaintiff's claim for relief for remedies under Failure to Accommodate in Violation of California Fair Employment and Housing Act (Cal. Gov. Code §12940(m)) is hereby dismissed with prejudice.
3. Plaintiff's claim for relief for remedies under Failure to Engage in a Good Faith Interactive Process in Violation of the California Fair Employment and Housing Act. (Cal. Gov. Code §12940(n)) is hereby dismissed with prejudice.
4. Plaintiff's claim for relief for remedies under Retaliation in Violation of California Fair Employment and Housing Act (Cal. Gov. Code §12940(h)) is hereby dismissed with prejudice.
5. Plaintiff's claim for relief for remedies under Failure to Prevent Discrimination and Retaliation in Violation of California Fair Employment and Housing Act (Cal. Gov. Code §12940(k)) is hereby dismissed with prejudice.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
HON. VINCE CHHABRIA  
JUDGE OF THE DISTRICT COURT